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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

3:16-CR-00051-BR-11

v.

DYLAN ANDERSON,

Defendant.

**GOVERNMENT'S RESPONSE
IN OPPOSITION TO DEFENDANT
ANDERSON'S MOTION FOR
REVIEW OF DETENTION ORDER**

The United States of America, by Billy J. Williams, United States Attorney for the District of Oregon, and Ethan D. Knight, Geoffrey A. Barrow, and Craig Gabriel, Assistant United States Attorneys, provides this response in opposition to Defendant Anderson's Motion for Review of Detention Order. For the reasons outlined below, and as will be presented at the review of detention hearing, the government is recommending that defendant Anderson remain in custody pending trial, as he is a flight risk and he presents a danger to the community.

I. Procedural History

Defendant was arrested by the FBI on or about January 27, 2016, at an FBI checkpoint near the Malheur National Wildlife Refuge (MNWR). On January 28, 2016, Magistrate Judge Stacie Beckerman authorized a complaint charging defendant with Conspiracy to Impede Officers of the United States from Discharging their duties through the Use of Force, Intimidation, or Threats in violation of Title 18, United States Code, Section 372. That same day, defendant made his initial appearance on the complaint in the District of Oregon. He was temporarily detained at his initial appearance.

Defendant appeared before Judge Beckerman for a detention hearing on January 29, 2016. Following argument, Judge Beckerman ordered defendant detained as a risk of flight and a danger to the community.

On February 3, 2016, a grand jury in the District of Oregon charged defendant with a single count of 18 U.S.C. § 372. On March 8, 2016, the grand jury returned a superseding indictment. Count One charges defendant with Conspiracy to Impede Officers of the United States from Discharging their duties through the Use of Force, Intimidation, or Threats in violation of Title 18, United States Code, Section 372. Count Two charges defendant with Possession of Firearms and Dangerous Weapons in Federal Facilities in violation of Title 18, United States Code, Section 930(b) and 2. Defendant is not named in Counts Three, Four or Five. Defendant was arraigned on the Superseding Indictment on March 9, 2016.

Defendant has now moved this Court for an Order revoking Judge Beckerman's January 29, 2016, Order of Detention. Defendant's motion is set for a hearing before this Court on Wednesday, April 20, 2016, at 10:30 a.m.

II. Argument

Defendant Dylan Anderson was among the first to join the armed occupation at the Malheur National Wildlife Refuge. As shown below, on January 3, 2016, the defendant was photographed guarding the entrance to the refuge. He was also photographed in and around the refuge carrying a rifle. While on the refuge, defendant Dylan Anderson told a reporter, “I didn’t come here to shoot, I came here to die.” He further explained that he was inspired to come to the Malheur National Wildlife Refuge by Ammon Bundy. The defendant said that his inspiration to join the armed occupation was validated by God in the form of a flock of geese. Defendant told reporters, “I just knew it was the right thing [to come to Oregon] . . . I’m willing to die here.”





Defendant Dylan Anderson brought at least two firearms with him from his home in Utah to the Malheur National Wildlife Refuge. The assault rifle shown below was purchased by defendant Dylan Anderson in 2014. The handgun shown below was purchased by one of Dylan Anderson's family members.



Defendant Dylan Anderson abandoned these firearms before he left the refuge on or about January 27, 2016. Defendant was among the last occupiers to leave the refuge. Both of the above weapons were recovered by the FBI's Evidence Response Team after all of the occupiers had left the refuge.

The government believes that defendant Dylan Anderson should be detained as both a flight risk and as a danger to the community. But in candor to the Court, the government will note that defendants similarly situated to defendant Dylan Anderson have now been released pending trial in this case.

III. Conclusion

The government recommends that the Court deny defendant Dylan Anderson's motion for pretrial release.

Dated this 20th day of April 2016.

Respectfully submitted,

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s/Geoffrey A. Barrow
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